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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/806,201	03/22/2004	Bernadette Depke	Depke1

33448  
 ROBERT J. DEPKE LEWIS T. STEADMAN  
 HOLLAND & KNIGHT LLC  
 131 SOUTH DEARBORN  
 30TH FLOOR  
 CHICAGO, IL 60603

## FORMALITIES LETTER



\*OC000000012888339\*

Date Mailed: 06/07/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch). See Figures(s) 1-10.
  - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 2,4,5,8,11.

**SUMMARY OF FEES DUE:**

08/12/2004 YPOLITE1 00000047 501794 10806201

01 FC:2051 65.00 DA

Total additional fee(s) required for this application is \$65 for a Small Entity

- \$65 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
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Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Tamara Conley  
Customer Service Center

Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART 2 - COPY TO BE RETURNED WITH RESPONSE

O I P E  
AUG 12 2004  
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/21 (08-03)

Approved for use through 08/30/2003. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/ 806,201
		Filing Date	March 22, 2004
		First Named Inventor	Bernadette Depke
		Art Unit	2837
		Examiner Name	Unassigned
Total Number of Pages in This Submission	Attorney Docket Number	092970.00002	

**ENCLOSURES (Check all that apply)**

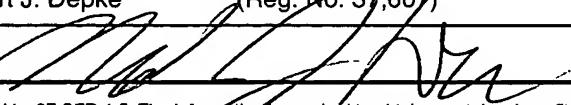
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below): <input type="checkbox"/> Post Card
<div style="border: 1px solid black; padding: 2px; display: inline-block;">Remarks</div> <p>The Commissioner is hereby authorized to charge any fees due or to credit any overpayment to Deposit Account No. 50-1794.</p>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Robert J. Depke, Holland & Knight LLP 131 South Dearborn Street, 30th Floor, Chicago, IL 60603
Signature	
Date	8/9/04

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Robert J. Depke (Reg. No. 37,607)
Signature	
Date <span style="border: 1px solid black; padding: 2px;">8/9/04</span>	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Applicant:** Bernadette Depke, et al.

**Atty. Docket No.** 092970.00002

**Serial No.:** 10/ 806,201

**Group Art Unit:** 2837

**Filed:** March 22, 2004

**Invention:** "SYSTEMS AND METHODS FOR THE IDENTIFICATION AND/OR DISTRIBUTION OF MUSIC AND OTHER FORMS OF USEFUL INFORMATION"

**SUBMISSION OF MISSING PARTS and REPLACEMENT DRAWINGS**

Mail Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SIR:

**SUBMISSION OF MISSING PARTS**

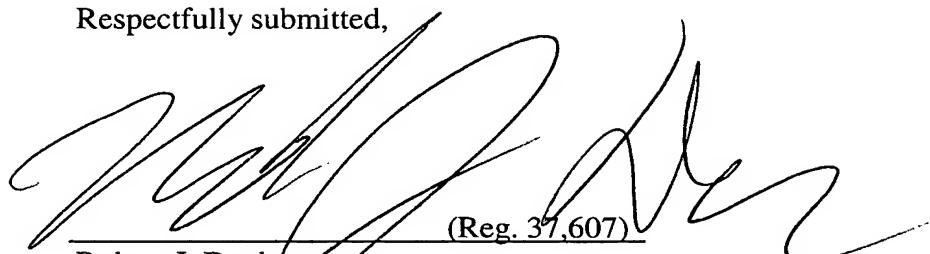
In response to the Notice to File Missing Parts mailed June 7, 2004, Applicants submit an executed Declaration and Power of Attorney as required in the Notice. In addition, the Commissioner is hereby authorized to charge Deposit Account No. 50-1794, in the amount of \$65.00 as payment of the surcharge set forth in 37 C.F.R. §1.53(b).

**SUBMISSION OF REPLACEMENT DRAWINGS**

In response to the Notice to File Missing Parts mailed June 7, 2004, and in compliance with 37 C.F.R. 1.84 and 37 CFR 1.121, Applicants submit herewith Replacement Drawings (4 sheets - Figs. 1-11).

The Commissioner is hereby authorized to charge any fees due or to credit any overpayment to Deposit Account No. 50-1794.

Respectfully submitted,



(Reg. 37,607)

Robert J. Depke  
HOLLAND & KNIGHT LLP  
131 South Dearborn Street, 30<sup>th</sup> Floor  
Chicago, IL 60603  
312.263.3600  
312.422.9050 (direct dial)  
312.422.9033 fax



**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail on August 9, 2004, in an envelope addressed to:

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